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ASSEMBLYMAN MARK LENO TO INTRODUCE HISTORIC CIVIL MARRIAGE LEGISLATION

SACRAMENTO- Assemblyman Mark Leno (D-San Francisco) announced today he will introduce legislation next month to prohibit the denial of marriage licenses by the State of California to gay and lesbian couples.

“The time has come for California to honor its commitment to equality for all Californians,” stated Assemblyman Leno, who chairs the Lesbian, Gay, Bisexual, and Transgender (LGBT) Caucus. “This bill will affirm the civil rights of gay and lesbian couples who wish to take on the responsibility of marriage and ensure that their children receive the same protections as children raised by married couples.”

Leno’s legislation will follow a November ruling by the Massachusetts Supreme Judicial Court affirming the right of same sex couples to marry. The Massachusetts high court labeled the denial of marriage equality on the basis of sexual orientation “arbitrary,” and declared that the Massachusetts Constitution, “affirms the dignity and equality of all individuals...and forbids the creation of second-class citizens.” The Court also “failed to identify any constitutionally adequate reason for denying civil marriage to same-sex couples.”

Presently, California couples may register with the State of California as domestic partners, affording them approximately sixteen rights and responsibilities. When recently passed AB 205 (Goldberg) takes effect in 2005, registered domestic partners will be entitled to hundreds of additional protections. AB 205 does not, however, grant all of the rights of marriage under state law, nor does it make couples and their children eligible for over a thousand federal protections offered to married couples and their children.

Equality California (EQCA), the statewide LGBT civil rights advocacy organization, will sponsor the bill. EQCA is a member of the California Freedom to Marry Coalition, an alliance of organizations committed to winning the right to marry for all California citizens. “The denial of marriage licenses to same sex couples is nothing less than state-sanctioned discrimination,” stated Geoffrey Kors, EQCA Executive Director. “This legislation will ensure that we actually treat LGBT couples and their children the same as other families under the law,” he said.

Proposition 22, an initiative passed by California voters in 2000, was designed to prevent California from being forced to recognize the marriages of same-sex couples who were married *outside* of California. (CA Family Code Section 308) However, that law did not change the criteria for issuance of marriage licenses *within* California, which is the subject of Leno’s bill. (CA Family Code Sections 300, 301 and 302)

“For too long, the right to marry has been denied to thousands of Californians based on their sexual orientation, giving in to the destructive stereotype that same-sex relationships are inherently inferior to opposite-sex relationships,” stated Leno. “This bill will ensure that our state treats our loving, committed relationships with the respect they deserve,” he said.

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